

Pakistan's Perspective and Role in the BBNJ Agreement: Interests, Responsibilities, and Global Divergences

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Abstract

The global agreement of Biodiversity Beyond National Jurisdiction BBNJ is the most anticipated one to be soon enforced effectively. This agreement is a clear depiction of efforts made globally to complete it and to give a final shape. The research paper intends to highlight the perspective and role of Pakistan in the BBNJ agreement amid global participation to the agreement using descriptive method of research. This study goes deep into efforts and views by developing countries in their inter-governmental conference (IGC) sessions towards finalizing the BBNJ agreement as an international legally binding agreement on marine biodiversity beyond national jurisdiction. Marine genetic resources, concept of sea as common heritage of humankind and omitting fish from the scope of BBNJ agreement are looked into in this manuscript. The focus is on the great geographical position of Pakistan having extensive coastal line thus emphasizing the importance of BBNJ agreement for Pakistan. Pakistan's active participation in the BBNJ discussions and its representation of group of 77 developing countries (G-77) at the United Nations is undeniable. Besides paying a big appreciation to its great contributions into BBNJ discussions, this study reveals that Pakistan still requires updating its respective policy development and data to welcoming and taking up the BBNJ agreement more effectively. This discrepancy can be dealt with a mindful and industrious conduct.

Keywords: BBNJ agreement, Pakistan, marine genetic resources, developing countries, IGC, fish.

Introduction

The sea is the blue heart of earth serving as the largest habitat for several species belonging to earth. (Ali Khan & Kabir, 2002) The sea makes two thirds of the earth planet and contain area beyond national jurisdiction (ABNJ) which is known as global commons which belong to everyone but of no one in true spirits. (Ardrone et al., 2013) They are also called as high seas wherein a huge number of animal species and a big variety of coral species are found. The depth of high sea is 3800 m and are below 200 nautical miles (Banshchikova, 2021).

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The area beyond national jurisdiction and almost all sea related issues can be dealt with effectively by the United Nations Conventions on the Law of Sea (UNCLOS). It is the constitutional law or parent law of the sea (Santo, 2018). The area beyond national jurisdiction encompasses diverse species and resources and its exploration will be beneficial for states. But the gaps and certain limitations in the parent law of the sea (UNCLOS) due to conflicting perceptions might slow down the process of exploration of such marine resources. The Ocean governance principles under the regulatory framework of UNCLOS to conserving the diverse species and resources need to be updated to have the better use of them. As the area of high seas is the most neglected one in ocean governance, the member states to the United Nations in 2015 came up to creating an international legally binding instrument by the name of BBNJ for the protection and sustainable use of diverse marine species and habitats worldwide in the areas beyond national jurisdiction. The constant worst situation of marine environmental health in the areas beyond national jurisdiction and exhaustion of coastal resources led the United Nations to create an internationally accepted instrument to deal with such issues globally (Gjerde, 2006).

The United Nations Convention on Law of the Sea UNCLOS represents a basic regulatory framework with emphasis on rights and duties of states towards sea but the BBNJ agreement adds more depth and innovational value to UNCLOS by addressing the important issue of governance of high seas. It was noticed that there was a very little addition of certain provisions relating to protection of and equitable benefit sharing from diverse marine resources in the areas beyond national jurisdiction ABNJ (Elferink, 2012).

The marine protected areas (MPAs) are the areas which come within the area beyond national jurisdiction (ABNJ) and are protected by area-based management tools (ABMTs) ultimately for the protection and conservation of marine life in ABNJ. Therefore, area-based management tools and protection of diverse marine life remain important topics under BBNJ agreement (FAO, 2022). In 2004, the BBNJ agreement negotiation process started off at first place under resolution 59/24 adopted by the General Assembly of the United Nations. Afterwards, the BBNJ agreement related concerns were discussed by the open-ended working group made by the UN. The said working group came up with its proposals after the draft agreement was made. The UN in response to the proposals and recommendations made a preparation committee and adopted resolution 69/292 in 2015 to further proceed with the draft agreement in consonance with UNCLOS. Afterwards, the Intergovernmental Conference was held in four sessions between 2018 to 2020 regarding BBNJ draft agreement. In 2023, after the 5th session was held by parts, the BBNJ draft agreement was finalized (Gunasekara & Karim, 2022).

The BBNJ agreement was meant to bring important reforms on ocean governance and to upgrade legal principles on the area beyond national jurisdiction (ABNJ) (Houghton, 2014). The said agreement also recommends environmental impact assessment EIAs for the activities done by states in high seas. Nonetheless, it seems very challenging for developing countries to enforce its application within their jurisdictions (Humphries & Harden-Davies, 2020).

1. Responsibility of States towards Sustainable Usage of BBNJ Resources

The BBNJ agreement once finalized increases the responsibility of states to ensure the wise and sustainable use of diverse marine resources beyond national jurisdiction. Each approach reflecting from its preamble or coming from the statement of its vision might be taken as a resolution of the United Nations which confirms the relevant prevailing laws and thus may validate the governmental policy (IISD, 2019).

This approach to making states responsible for sustainable use of BBNJ resources might be taken as an independent project of soft law coming under the scope of concerns of the UN General Assembly. Even if the BBNJ agreement is not materialized yet the states to the BBNJ agreement are agreed to be a part of flexible governance process exhibited by the BBNJ agreement, it is a like a kind of validation to a principle of international law. The proper guidelines along with mechanism to implement these approaches must be added into the BBNJ agreement for smooth ocean governance in case of conservation and protection of diverse marine species beyond borders (Jing, 2019).

There is no doubt about the importance of protection of marine ecosystems and diversity of marine species for humankind in all ages. Therefore, sustainable ocean governance is still a notion to be debatable. Nevertheless, the BBNJ agreement could help in keeping up the good health of oceans resultantly raising the living standards of human beings (Kanu, 2023). It can be said that the states have their responsibility to safeguard the ocean from all kinds of harmful environmental impacts under BBNJ agreement (Filho et. al., 2022).

The states must adopt strict policy of zero tolerance against ocean degradation. This way, the states can play a vital role in the uplifting of human living standards by protecting ocean against its degradation and environmental harm. It would not be wrong to say that clean ocean atmosphere and human rights are interlinked as lifestyle of some people depend upon pollution free oceanic atmosphere (Leary, 2019). Nonetheless, the health of marine genetic resources and rights of humans are well connected to each other. In fact, appropriate strict policy and actions should be taken for the conservation and protection of biodiversity and safe marine ecosystem.

The BBNJ Agreement is expected to subsidize in fulfilling the goals for sustainability of ocean governance in areas beyond national jurisdictions. It is good to know that the said agreement once implemented will also be achieving the sustainable ecology and biodiversity development goals (SDGs).

2. Participation of States to BBNJ Agreement

Around five intergovernmental conference sessions between states to the BBNJ agreement were held to discuss on the equitable provision of benefits and interests among states from protection of sustainable marine genetic resources. Different states expressed their views on the efforts being made to work effectively on the sustainable use of marine genetic resources in the shape of BBNJ agreement. Pakistan representing 77 states as G-77 expressed great appreciation on the creation of BBNJ and advantages of usage of marine genetic resources (Lee, 2020). The sustainable use of marine genetic resources MGRs is somehow dependent on the protection of marine protected areas MPAs in areas beyond national jurisdiction ABNJ. Therefore, it is important to plan about protection of marine protected areas in ABNJ.

However, the landlocked developing countries have doubts and reservations on the conservation of biodiversity beyond national jurisdiction by implementing a suitable regime for protection of sea wealth as a common heritage for all humankind. But most of the developed countries including Canada, New Zealand, Norway and Australia endorsed the BBNJ draft. The United States of America also extended its support to the BBNJ agreement. After resuming the IGC sessions post Covid-19, China emphasized on maximum engagement of countries to keeping up with the equitable involvement in the BBNJ discussions (Liu, 2022). Now the unification of states is seen evidently towards the issue of conservation of marine genetic resources in the areas beyond national jurisdiction, it would be interesting to see if it proves to be a game changer.

This equitable involvement of states may prove to be an effective coordinator in the implementation of four major components of the BBNJ agreement. Everything is still in the progress and thus in the air and needs more time for the ship to reach the coast (Lothian, n.d.).

2.1 Varying Opinions of Developing and Developed States on BBNJ

All states can explore high seas as areas beyond national jurisdiction. Therefore, whoever state finds any genetic material within the scope of high seas may obtain exclusive rights over them. The developing countries are encouraged to have their hands on marine genetic resources in ABNJ as they are considered the beneficiary of shared heritage of humanity. Whereas the developed countries like United States of

America, Germany and Japan have got a huge percentage of marine genetic patents (UNGA, 2004). In fact, these developed states were opposing the concept of agreement of states on protection of marine genetic resources and biodiversity beyond national jurisdiction to keep their own respective interests protected.

A long period of almost fourteen years passed to come up with the holding of final BBNJ negotiations as developed states were in opposition to the said agreement considering that developed states would not find any advantage from the BBNJ agreement. But the only objective which brought both the developing and developed countries together was the same objective of improving marine environmental issues. The European Union advocated the concept of fish as a commodity accessible by all states in high seas. It was also argued that this commodity of fish should be excluded from the benefit sharing system among all the states can have access to fish in high seas (Salahuddin, 2022). In support of these arguments, many other developed countries including Japan, Russia, Ice Land and New Zealand also supported the idea of not to exploit the commodity of fish in ABNJ. The developing countries also expressed their worry over the loss of fish in ABNJ. Contrary to this, United States insisted on putting barriers on access to commodity of fish by all the states in ABNJ and advocated the benefit sharing system from native collection of fish as commodity (Saran, 2023).

On the other hand, the developing countries seek access to marine genetic resources not only in their natural habitat but also outside their natural habitats and to their breed by computer simulation as well. Such differences between developed and developing countries are amicably addressed in the BBNJ agreement (Stephenson et. al., 2021).

The important principles of international law of Common heritage of humankind, sovereignty, integrity of territories and cooperation of states remained the points of unification between states according to the BBNJ agreement. The group of 77 states including developing African states and small island states agreed upon the importance of common heritage of humankind. It was believed that if that CHH principle would not have made a part of BBNJ negotiations, this agreement would hinder and obstruct the consumption of marine genetic resources. Also, the importance of the principle of human heritage is obvious from the fact that without their inclusion into the agreement, there would have been huge turn away of sudden decline in export price for their export-generating mineral resources (Tladi, 2015).

Different states have their own views including the Asian developing and developed countries had their interests in conflict with the draft agreement of BBNJ. G 77 and China had different stances towards BBNJ agreement like there is point of

difference between them on “Fish as a commodity and fish as a carrier of marine genetic resources”. But the contrasting opinions between them resulted in exclusion of “Fish as a commodity” from the agreement and inclusion of marine genetic resources under Article 2 (40) in the final BBNJ agreement (Saran, 2023).

States realised the dire need for collaboration between states to better resolve maritime environmental issues thus affecting marine life. The BBNJ Agreement lays down the appropriate solution to controlling maritime environmental issues to some extent by interpreting UNCLOS that jurisdiction of coastal states as well as the rights of states in all maritime zones including continental shelf and exclusive economic zone that fall within the scope of national control must be respected so that the states can act effectively against the maritime environmental issues. The developing countries poised that there should be checks and limited freedom for states to explore seas to give meaning to the basic spirits of UNCLOS. But only high seas are covered by Part VII of UNCLOS, and the deep seabed is not covered (UNGA, 2004).

Developing countries like South Africa opines that developing countries do not have equal opportunities to have access to marine genetic resources in areas beyond national jurisdiction ABNJ and therefore cannot attain shared benefits the way developed countries can attain. This is why the International Union for Conservation of Nature (IUCN) suggests the developing states to advancing their knowledge regarding biodiversity beyond national jurisdiction (BBNJ) and maintaining the biodiscovery pipeline. (UNGA, 2015a) In such circumstances, it is believed that BBNJ agreement plans to help developing countries understand the need to safeguard and conserve the marine environment. Also, it will make sure that the developing countries have taken appropriate measures to stop, mitigate and finally to deal with the adverse marine environmental effects (UN, 1982).

2.2 Asian Group on BBNJ Agreement

Asia is surrounded by many oceans including Indian Ocean, Arctic Ocean and Pacific Ocean and have a huge coastal line of 62,800 km. Many Asian states enjoy a true continental space due to their geopolitical reasons and thus they have access to marine genetic resources in both national and international jurisdictions. Continental countries like Turkey and Egypt did participate in discussions on BBNJ at least once in sessional proceedings. The reason behind the support of BBNJ agreement by the Asian states is the favourable geopolitical position of them. They believe that the principle of CHH provides a strong and basic reason for a new and much fair regulatory regime ultimately for protection of biodiverse marine genetic resources in areas beyond national jurisdiction. Therefore, the core principle of CHH has been incorporated into different provisions of BBNJ agreement (Vadrot et. al., 2022).

In the very beginning, Asian group was comprising of 47 Asian countries and extended their favour and support to incorporate the principle of CHH into BBNJ agreement to administer MGRs in the areas beyond national jurisdiction to getting equitable benefits from ABNJ. Thus, the concrete concept of CHH is considered as the legal basis for setting up an impartial and standardized regulatory system for safety and maximum use of marine genetic resources by developing countries in high seas. As the developed countries have better resources and ways to reach out to the MGRs in the high seas as compared to the developing countries, it causes inequalities between developed and developing countries Pakistan being a developing country also underlined the fact of fair and equitable distribution of advantages between developed and developing countries by stimulating local capabilities, and facilitating technological knowledge with regard to distribution of MGRs by absolutely adhering to the fundamental principle of the common heritage of humankind CHH (Vadrot et. al., 2022).

Nonetheless, the Asian group of countries valued the effective usage of MGRs in the ABNJ for equitable benefit sharing.⁵² But there remained a confusion on identifying distinct marine genetic resources MGRs for the equitable benefit sharing among developed and developing countries.⁵³ However, it is nowhere clearly mentioned as to connect and relate MGRs to fish populations as discussed above. In the latest stage of negotiations on BBNJ agreement from 2021 to present, the centre of focus of the Asian Group remained connected with the development and benefits of the developing states through Benefit-sharing fund.⁵⁴ There is no doubt that the final draft of BBNJ agreement did address the issues of provision of equitable access to MGRs and equitable benefit sharing to developing states by incorporating the principle of common heritage of humankind CHH specifically under specific Article 7 of the BBNJ agreement and impliedly in Part II of the BBNJ Agreement which will be benefiting Asian group of states.

2.3 African Group on BBNJ Agreement

54 African states remained very concerned about BBNJ agreement in respect of fair usage of marine genetic resources in the areas beyond national jurisdiction. The negotiators from the African Group talked about fair and equitable usage of ocean benefits in ABNJ. They showed up their trust in BBNJ proceedings to be fair and equitable as they believed that the principle of CHH belongs to all humankind and therefore entitled to have access to all MGRs in certain areas beyond national jurisdiction. The African states put emphasis on educating the developing states in research, technology and skill development so that they can learn how to effectively have access to marine genetic resources MGRs, how to use them for benefit sharing among different states. They also talked about the fair distribution of marine genetic

treasures in areas beyond national jurisdiction and on sustainability of marine resources for betterment of future generation. This thought refers to sustainable development goal SDG 14 of the agenda for 2030. The African group of countries also proposed to establish central fund consisting of benefits that come from MGRs in ABNJ because the developing countries have unequal access to ABNJ (Wang, 2023).

The African scientists have now got an opportunity to access to MGRs to conduct related scientific research activities at present and in future as well. In this way, the objectives of capacity development of states by transfer of technology under articles 10 and 11 of the BBNJ agreement can be met. The outcome of their research activities also reflects to have area-based management tools system with marine protected areas (MPAs).

Seemingly the African states can take benefits resulting from equitable access and use of MGRs as it is directly proportional to better economic growth of the states. More jobs, better income generation and reduction in poverty are dependent on fair access and use of MGRs under BBNJ agreement. Therefore, it could be of great use to African countries by protecting, preserving and maintaining its biodiversity and ecosystem thus meeting its better social and economic targets. (UN, n.d.)

Certain facts like Coastal African countries will be affected by engagement of fishing businesses by developed countries in the high seas as they do overfishing in those regions. Some fishing businesses from developed countries do overfishing in high seas exclusive economic zones of Africa. BBNJ agreement puts emphasis on biodiversity beyond borders and marine interconnectivity and nevertheless restricts illegal and unregulated fishing. During the Inter-governmental sessions on BBNJ, the African group's stance was that the principle of CHH is very important to BBNJ agreement and that the said agreement without CHH principle is like a life without its soul (UN, 2023a).

During the last stage of negotiations, the African countries changed its opinion and showed inclination towards equitable profit sharing among countries than CHH principle. The African group of negotiators AGN would surely receive benefits from the BBNJ agreement as it contested a battle for developing countries addressing issues related to cross boundary damage and consequent results in developing African countries G20. Post-unification of African group of developing countries, their voices resulted in promises between states on capacity building of developing states and the transfer of marine technology to them (Vadrot et. al., 2022).

3. Importance of Pakistan to BBNJ Agreement

The position and presence of Pakistan to BBNJ agreement is undeniable and the whole world is aware of geographic and geopolitical importance of Pakistan in the

South Asian region. Having a long coastline stretching 1365 km on the Arabian Sea, with one of the deepest ports named Gwadar in the world and being connected with Indian Ocean, its geographical location is very ideal for CPEC activities and to achieve the targets of BBNJ agreement in the Asian region. Undoubtedly, Pakistan could emerge as one of the best states to benefit the Asian region with easy access to the deep sea. Nonetheless, the participation of Pakistan to BBNJ agreement is very important and undeniable (Leary, 2019).

3.1 Engrossments of Pakistan in BBNJ

Pakistan has its engrossments in BBNJ agreement due to its ideal geographical position in the Asian region and its extensive natural resources including long coastline, exclusive economic zones, extensive continental shelf and three ports. Fishing is also very vital for its economy as a big number of people rely on fishing as their source of earning. Pakistan may get advantages from the core concepts of BBNJ agreement by managing its fisheries in exclusive economic zones. In other words, Pakistan can gain maximum profits in fisheries sector by following the true concepts of sustainability, reducing incidental capture of fishes and safeguarding certain regions which are ecologically sensitive (Ma & Qian, 2016).

The BBNJ's thought for the future under Article 14 of the BBNJ agreement is that the states should wisely administer the marine genetic resources in ABNJ as these areas beyond national jurisdiction have the capacity to give financial strength to countries by exploring them with relevant research and development. It can be inferred that the health of the ocean including high seas is very important for both humans and a lot of other creatures as well. The chemical composition of sea water and its thermal state major effects on Pakistan's weather conditions. Additionally, the opponent states pursuit of military superiority could worsen the situation. In these circumstances, an internationally legally binding instrument ILBI can deal with the situation in an effective manner.

As BBNJ agreement aims to bring alliance among states, Pakistan seems to play a vital role in achieving that. The deepest Gwadar Port in Pakistan provides chances for potential collaboration by leading access to the Indian Ocean. The noticeable and worth appreciating fact is that Pakistan is dedicated to the Goal 14 of 2030 Agenda for sustainable development and preservation of high seas and its resources and this cannot be achieved without collaboration among allied countries. Therefore, the engrossments of Pakistan in BBNJ agreements are evident and very Contribution of Pakistan in the BBNJ treaty exercise (Ryabchikov, n.d.).

Pakistan chaired the world's largest coalition G-77 and played a crucial role in negotiating a high seas treaty. In fact, Pakistan did active and vital representation of

group of 77 developing countries in both 4th and 5th sessions of inter-governmental conference. Pakistan started participating in the BBNJ treaty exercise from 4th session in 2022 and continued its active role till the last session. Pakistan kept praising the performance of Ambassador Rena Lee of Singapore for serving as president of International Government Conference IGC leading to finalization of landmark BBNJ which made high seas conservation possible and equitable sharing of marine genetic resources.

All the group G-77 members states with Pakistan representing the group kept insisting on UN principles of equitable sharing of marine genetic resources among states, capacity building, mandatory environmental impact assessment EIA and transfer of marine technology TMT. The economies of Pakistan and of many other developing countries depend on marine industry and marine food security. But this all depends on latest technology resources in which they lack. It was believed by Pakistan that equitable sharing of marine genetic resources would make possible for developing states to have access to such resources by strictly following the principles of UNCLOS on international cooperation between states. Pakistan also put emphasis on importance of scientific thorough study and research on and protection and conservation of marine species beyond national jurisdiction. Besides all this, Pakistan along with other G-77 states was very concerned about how to stop negative effects on marine environment, marine species and marine ecosystems from operations in ABNJ. The concern was about possible negative impacts on marine biodiversity and marine ecosystem. It was also argued that the implementation of mandatory EIAs would be helpful in reducing the issues of irresponsible use of ocean and oceanic resources.

As the developing countries are less indulged in research, technology and commercialization of marine genetic resources, it was obvious to the group of developing countries G-77 to urge for capacity building and transfer of technology to use marine biodiverse resources in high seas. Thus, transfer of technology could help states to enhance their blue economy by effective use of marine genetic resources (MGRs).

The priorities of G-77 countries remained the fair institutional and regulatory framework for BBNJ and equitable participation of developing countries as decision making bodies to the BBNJ treaty. It shows that the group of developing countries is looking for a balanced governance system which takes care of interests of developing countries. Pakistan

representing the G-77 also showed its commitment to UN Conventions on Biological Diversity and Climate Change.

Additionally, the G-77 favoured CHH principle and thus equitable sharing of benefits coming from sustainable use of marine genetic resources (MGRs) under Article 14 of the BBNJ agreement. The interesting fact is that the monitory benefits come as a byproduct of the conservation of marine resources in high seas. The sustainable fishing techniques in ABNJ weaving together with better economic growth can increase the long-term value of fish catches and decrease the expenses attached with the exhaustion of fish stocks (66). It is, therefore, promoting the latest legal rule of commercialization.

An excellent ocean governance has been Pakistan's priority, and it always put emphasis on taking necessary actions to improve ocean governance.⁸⁴ As the sustainability of ocean governance is very well linked with 2030 agenda with 17 sustainable development goals and ocean governance is one of them.⁸⁵ Pakistan's Deputy Secretary said at the closing ceremony of General Assembly meeting of United Nations that there is a dire need of sturdy regulatory framework to safeguard the international blue economy. Furthermore, Pakistan emphasized on the importance of awareness among international community about the importance of peace and stability in the South Asia to have global trade efficiently (Leary, 2019).

Pakistan supports BBNJ treaty in true spirits as an international legally binding agreement and it admires the working of three observing bodies of UN including the Commission on the Limits of the Continental Shelf (CLCS), the International Tribunal for the Law of the Sea, and the International Seabed Authority (ISA).

4. Conclusion and Recommendations

It is important for every agreement to be adopted, ratified and then implemented by the UN member states to carry out the necessary provisions of the agreement and to avoid the set back of the process so far. To ratify the agreement, sixty member states are required and then it would be implemented according to the needs of the member states to the UN (UN, 2016a).

China-Pakistan economic corridor CPEC and ideally deepest Gwadar port gave Pakistan importance in the maritime sector which is somehow connected with the objectives of the BBNJ agreement.⁸⁹ But sadly, Pakistan has not yet made true efforts to make use of its seas assets even though it has an ideal geographical location in the south Asian region. Due to unstable political circumstances, Pakistan did not actively participate in the beginning of BBNJ sessions, in fact missed on first three consecutive sessions and later turned to be the representative of G-77 countries from its fourth session onwards by putting up its stance in a very effective manner.

It is a very serious and worth pondering issue that needs attention from government is dearth of updated information about stance and reservations of Pakistan

on its relevant official websites. The only available insufficient information are the closing remarks of Pakistan on the United Nations Pakistan website. On the other hand, other countries have showed up and made all updated information and future projects relating to BBNJ treaty negotiations available on their official websites. It is disheartening to find lack of governmental concern to providing necessary updated information to public on official website.

The states like China, India, and different African states put up their concerns and opinions at the initial sessions of BBNJ treaty. On the other hand, Pakistan showed lack of seriousness and interest towards the agenda of sustainability of marine resources in high seas by its disappearance at the initial sessions of BBNJ treaty negotiations. Furthermore, Pakistan has yet to make its policy for implementation of BBNJ treat at state level.

At conclusion, it can be said that BBNJ is an internationally impactful agreement with global significance holding potential prospects. Pakistan being a participant into this agreement should perform its responsible role by updating its official websites exhibiting expert reports for public's knowledge and benefits. Then it should also make a proper effective policy for implementation of BBNJ agreement.

This research paper analyses the possible potential effects of BBNJ agreement on developing countries and demonstrating Pakistan as a case study. The basic findings from this case study carry the implications of the BBNJ agreement establishing sovereign rights of Pakistan over its marine resources. As the BBNJ agreement stops the wasteful use of marine resources, it talks about through its certain provisions area wise management system primarily in marine protected areas MPAs to sustainable use of marine resources. It is inferred that such provisions could hinder future development of marine resources to some extent in Pakistan. Pakistan has got some serious concerns as Pakistan is struggling with its blue economic growth, such restrictions would cause hurdles in the way to fulfil the needs of its rapidly increasing population. The second important point of concern is that Pakistan needs other resources like capacity building and technological assistance to comply with the provisions of BBNJ regulatory regime like to perform marine environmental impact assessments, access to marine genetic resources, effective monitoring and implementation for benefit sharing. There is a fear for Pakistan being left behind other countries as they are getting their blue economy better day by day without external assistance on technology and capacity building. The third point off concern is that Pakistan is an aspiring blue economy nation and this is a strong reason for Pakistan to participate meaningfully in BBNJ negotiations. Being an aspiring blue economy nation, it should promote rules to balance out the needs for conserving marine resources with development of marine resources. Pakistan has also committed to cooperate on sea related issues if arisen globally which could cushion its

diplomatic qualification and good will among states on global platform. Therefore, it is concluded that BBNJ agreement comes with several opportunities for developing states including capacity building, transfer of marine technology and equitable sharing of benefits seas could prove to be a stepping stone to achieving sustainable development goals in global maritime sector.

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